

## REMARKS

### Pending Claims

In this application, claims 1-3 and 5-19 are pending. Claim 1 is amended herein.

### Specification

The Applicant has added a sentence to the specification regarding priority, in accord with the Examiner's direction.

### Art Rejections

As amended, the Applicant recites a threaded portion on the inner conductor that is engaged by a nut that is braced against the hand element portion. No new matter is added, as this nut arrangement is described in the specification, for example at page 5, lines 14-17m page 7, lines 25-29 and page 9, lines 31-32.

By revolving the nut relative to the threaded portion of the inner conductor, the inner conductor (by revolving in a clock-wise direction) is forced along its longitudinal axis in a proximal direction. Since the distal end of the inner conductor is connected to the probe tip by way of a screw connection (page 6, lines 24-25), revolving the nut of the hand piece also forces the probe tip in a proximal direction. the proximal end of the probe tip exhibits a stepped outside diameter. Via the stepped outside diameter, the probe tip abuts and exerts force on the insulator (page 8, line 33- page 9, line 8). The insulator, in turn, exerts force on the outer conductor by way of stepped outside diameter 42a and stepped inside diameter 43a of the shaft electrode (page 9, lines 9-18). Since the hand portion has a stepped longitudinal bore and the proximal end of the outer conductor only extends as far as step 62a, the outer conductor is prevented from moving in a proximal direction. By revolving the screw nut of the hand piece, the inner conductor is therefore braced in relation to the outer conductor in such a way that the inner conductor is under tensile stress and the outer conductor is under compression stress.

The Examiner has rejected claims 1, 2, 5-8, 10-17 and 19 as being anticipated by Arndt et al. and claim 3 and 18 as being obvious on the basis of Arndt combined with Berube. Since independent claim 1 is amended herein, the Applicant respectfully submits that these rejections are moot. Nevertheless, the Applicant notes that while Berube is cited by the Examiner for showing a shaft 31 screwed to a handle, Berube

does not show a screw arrangement that results in an inner conductor under tensile stress while the handle is under compressive stress. Thus, because neither Arndt nor Berube shows the recited structure, the combination of the two similarly fails, and a rejection on the basis of this combination does not render the Applicant's claimed arrangement obvious.

The Applicant notes that searching the U.S. patent database of issued patents for the phrase "in such a way" in a claim yields over 20,000 patents. Five patents examined by the Primary Examiner of the present case have issued with such language included in a claim. The Applicant offers this statistical information to illustrate that such language is commonly used without preventing searching or barring patentability.

### CONCLUSION

All of the claims remaining in this application should now be seen to be in condition for allowance. The prompt issuance of a notice to that effect is solicited.

Respectfully submitted,  
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